

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JESS CHARLES, et al.,

Plaintiffs,

-v-

CITY OF NEW YORK, et al.,

Defendants.

No. 2:23-cv-3108-EK-CLP

**ORAL ARGUMENT
REQUESTED**

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Defendants North Brooklyn Parks Alliance, North Brooklyn Open Streets Community Coalition, North Brooklyn Mutual Aid, 34th Avenue Open Streets Coalition, Noel Hidalgo, Kevin Lacherra, Nuala O’Doherty-Naranjo, Jeffrey Hodsdon and Jim Burke (the “Volunteer Defendants”) will move this Court before Honorable Eric R. Komitee at the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and a time to be set by the Court, for an order, pursuant to Federal Rules of Civil Procedure 12(b)(6) to dismiss the claims against the Volunteer Defendants with prejudice, pursuant to Rule 12(b)(1) to decline supplemental jurisdiction over the state law claims, and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, shall be served no later than the deadlines set forth in the letter filed with this Court on February 20, 2024. Dkt. No. 71.

Dated: New York, New York
March 1, 2024

/s/ Joseph M. Sanderson
Joseph Sanderson

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